

AGENDA
FREMONT REDEVELOPMENT AGENCY REGULAR MEETING
MARCH 10, 2009
7:00 P.M.

1. CALL TO ORDER

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Redevelopment Agency and will be enacted by one motion and one vote. There will be no separate discussion of these items unless an Agency Member or citizen so requests, in which event the item will be removed from the Consent Calendar and considered in its normal sequence on the agenda. Additionally, other items without a "Request to Address the Redevelopment Agency Board" card in opposition may be added to the consent calendar. (In the report section of the agenda, consent items are indicated by an asterisk.)

2.1 *Approval of Minutes for the Regular Meeting of January 27, 2009.*

2.2 BAY STREET UTILITY UNDERGROUND

Appropriate \$104,300 of Redevelopment Agency Funds from 951PWC8509 to 951PWC8289 for the Construction of the Utility Underground and Service Conversions on Bay Street between Chapel Way and Fremont Boulevard, City Project 8289E (PWC)

Contact Person:

Name:	Paul Leung	Norm Hughes
Title:	Associate Civil Engineer	City Engineer
Dept.:	Community Development	Community Development
Phone:	510-494-4512	510-494-4748
E-Mail:	pleung@fremont.gov	nhughes@fremont.gov

RECOMMENDATION: Authorize the appropriation of \$104,300 of Redevelopment Agency Funds from 951PWC8509 to 951PWC8289.

3. PUBLIC COMMUNICATIONS

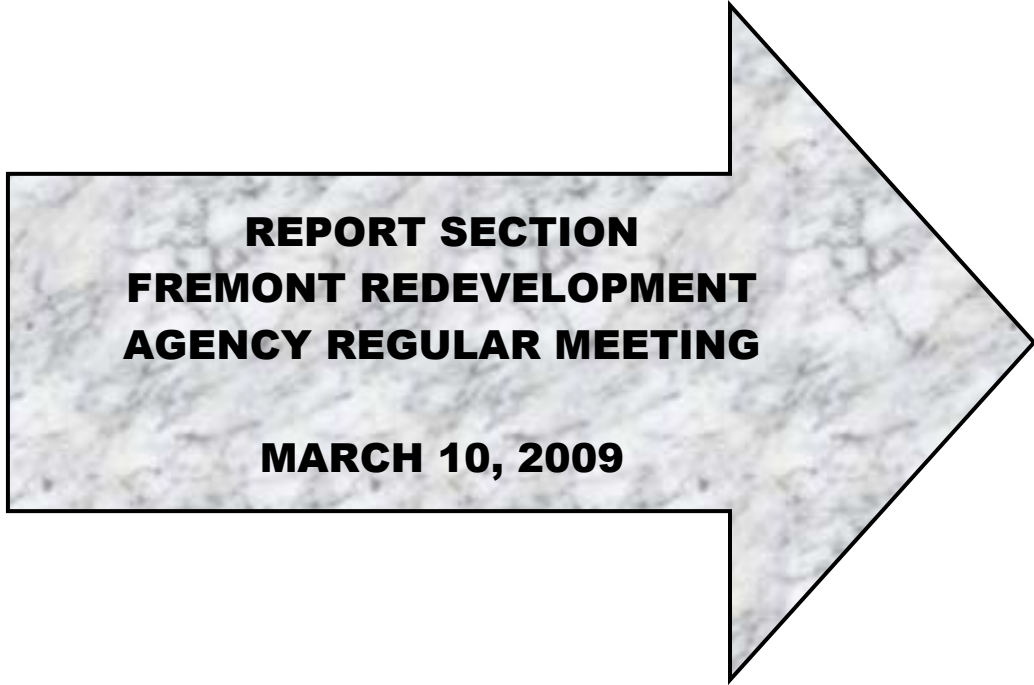
3.1 Oral and Written Communications

4. PUBLIC HEARINGS – None.

5. OTHER BUSINESS

5.1 Report Out from Closed Session of Any Final Action

6. ADJOURNMENT



**REPORT SECTION
FREMONT REDEVELOPMENT
AGENCY REGULAR MEETING**

MARCH 10, 2009

***2.2 BAY STREET UTILITY UNDERGROUND**

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Note: Companion item on City Council agenda.

Executive Summary: The purpose of this report is to recommend that the Redevelopment Agency appropriate \$104,300 from the Bay Street Streetscape Project, City Project No. 8509 (PWC), to the Bay Street Utility Underground and Service Conversions, City Project No. 8289E (PWC), for the service meter conversion work and temporary street lights.

BACKGROUND: Utility undergrounding funds are apportioned annually to cities through Pacific Gas and Electric (PG&E) based on California Public Utility Commission (PUC) Rule 20A. This rule returns money to cities for undergrounding of utilities based on the number of customers served by overhead lines within the City. The City Council adopted a Five-Year Utility Underground Program in conjunction with the utility companies to establish the City's priorities for undergrounding projects. Bay Street utility undergrounding is in the current Five-Year Utility Underground Program.

At the City Council/Redevelopment Agency Regular Meeting on October 26, 2004, the City Council adopted an ordinance for the formation of Utility Underground District No. 36 for Bay Street between Fremont Boulevard and Chapel Way. The majority of the costs of undergrounding the utilities will be funded by PG&E through California Public Utility Commission Rule 20A.

Due to other commitments and staffing shortage, PG&E was not available to design the undergrounding work as done on previous Rule 20A projects. In order to avoid further delays, staff hired an outside consultant, UDI-Tetrad, to do the design and PG&E agreed to reimburse the City for the cost of the design work.

Rule 20A Process: The PUC Rule 20A funds are used to finance the PG&E portion of utility underground improvements within public rights-of-way. There are also provisions for a portion of the Rule 20A funds to be expended on some underground improvement on private property required as a result of the Utility Underground District. AT&T and Comcast will pay the cost to underground their respective facilities in conjunction with the project. The estimated construction cost of the PUC Rule 20A portion of the utility underground work is \$316,100 for this project.

The design costs for the underground portion of work (UDI-Tetrad Consultants and City staff) and construction inspection and surveying costs are also reimbursable through the Rule 20A funds. The total amount for this portion of the work is \$178,400. The total reimbursement from the utility companies is \$494,500.

Funding On-Site Connection Costs: PUC policies allow the City to direct PG&E to utilize Rule 20A funds to pay for a portion of the onsite connection costs, including no more than 100 feet of each property owner's underground lateral service (trenching and conduits) and up to \$1,500 per parcel toward the electrical meter conversion costs. Based on the 22 parcels within the project limits, staff estimates that the on-site connection costs will be \$125,400. The amount qualified for reimbursement through Rule 20A funds is estimated to be \$33,000.

The remainder of the on-site connection costs must be covered by other sources. For Underground Utility District No. 36, the on-site connection costs not eligible for Rule 20A funding are estimated to be \$92,400 (\$125,400-\$33,000). Staff recommends that the Redevelopment Agency Board appropriate \$92,400 from the Bay Street Streetscape project to cover these costs and concurs that the use of these funds enhances the aesthetic appearance of Bay Street and is in conformance with the Redevelopment Plan for the area.

Funding Temporary Street Light Costs: Once the utilities are underground and the poles are removed, several street lights that were attached to the poles will also be removed. The Utility Underground project will install temporary street lights that will remain in operation until the Bay Street Streetscape project constructs the permanent lights. These costs are not eligible for Rule 20A funds. Staff recommends that the Redevelopment Agency Board appropriate \$11,900 from the Bay Street Streetscape project to cover these costs.

Bid Results: Bids were opened on January 27, 2009. Bids were received as follows:

<i>BIDDER</i>	<i>Total Bid Amount</i>		<i>Rank</i>
MCH Electric, Inc.	\$518,282.90	*	1
Casey Construction, Inc.	\$534,217.00		2
A Teichert & Son, Inc. DBA Angelo Utilities	\$552,400.90		3
Valley Utility Services	\$570,846.66		4
Smith Denison Construction Co.	\$596,391.00		5
K.S. Wood Construction Co., Inc.	\$625,993.00	*	6
Terno Inc.	\$628,134.00		7
Triple S Electric Co.	\$650,840.00		8
Emard Engineering	\$663,754.00		9
Maxistone, Inc.	\$697,022.00		10
Tennyson Electric, Inc	\$731,224.00		11
W.R. Forde Associates	\$737,829.00		12

BIDDER	Total Bid Amount		Rank
Norwood Construction	\$749,464.00		13
Pacific Underground Construction, Inc.	\$751,948.00		14
West Valley Construction Company, Inc.	\$754,592.00		15
Ranger Pipelines, Inc.	\$810,405.00		16
St. Francis Electric	\$820,521.00		17
D & D Pipelines, Inc.	\$879,930.00		18
Daleo, Inc.	\$945,072.50		19
Lewis and Tibbitts, Inc.	\$978,344.00		20
C.E. Harris, Inc.	\$1,110,236.00		21

*Mathematically corrected

Engineer's estimate: \$700,000

The low monetary bidder, MCH Electric, Inc., is a responsive and responsible bidder because they have experience in this type of work and their bid documents are in order.

Project Costs: The following is an estimate of the project costs:

Staff – Design/Design Administration (Meter Conversions)	\$30,000
Staff – Design/Design Administration (Utility Undergrounding)	\$30,000
Design Consultant (UDI-Tetrad)	\$40,400
Construction Cost (Low Bid) (Includes \$65,000 Construction Contingency)	\$518,283
Staff – Construction Inspection, Administration & Surveying	<u>\$108,000</u>

TOTAL Estimated Construction Costs	\$726,683
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Project Funding:

Fund 502	Capital Improvement – Outside Source (\$1,500 per meter)	\$33,000
Fund 508	ACTIA Measure B Funds	\$100,000
<i>Fund 951</i>	<i>Redevelopment Agency Funds (Meter Conversion & Temporary Street Lights)</i>	<i>\$104,300</i>
	<i>Reimbursement from Utility Companies per Rule 20A funding</i>	<u><i>\$494,500</i></u>

TOTAL Estimated Available Funding	\$731,800
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Based on the contract amounts and project cost estimates, there are sufficient funds budgeted for this project.

Environmental: The Bay Street Utility Undergrounding and Electrical Service Conversions project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 (d)

(conversion of overhead electric utility distribution system facilities to underground) because the project is a minor alteration to an existing public facility.

Spending Limitation Impact (Article XIII B): None.

ENCLOSURE: Exhibit "A" Utility Underground District No. 36 Boundary Map

RECOMMENDATION: Authorize the appropriation of \$104,300 of Redevelopment Agency Funds from 951PWC8509 to 951PWC8289.

5.1 Report Out from Closed Session of Any Final Action